

**IN THE HIGH COURT OF UTTARANCHAL AT**  
**NAINITAL**  
**WRIT PETITION NO. 417 (MS) OF 2006**

Smt. Sushma Rawa, aged about 42 years, wife of Shri Jag Mohan Singh Rawat, resident of 48/1, Mitralok Colony, Ballupur Road-III, Dehradun. ....Petitioner.

Versus.

1. Court of Civil Judge (Sr. Div.), Dehradun.
2. Shri Muneshwar Prasad Kothari, son of late Shri Pyare Lal Kothari, R/o Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun.
3. Shri Rameshwar Prasad Kothari, son of late Shri Pyare Lal Kothari Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun.
4. Shri Kusameshwar Prasad Kothari, son of late Shri Pyare Lal Kothari, Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun.
5. Shri Yogeshwar Prasad Kothari, son of late Shri Pyare Lal Kothari, Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun.
6. Shri Ishwari Prasad Kothari, son of late Shri Pyare Lal Kothari, Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun, now r/o D.L. Road, Dehradun.
7. Smt. Shankuntala Devi, wife of late Shri Kamalelshwar Prasad Kothari, Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun.
8. Shri S.P. Kothari, son of late Shri Pyare Lal Kothari, Resident of Village Danda Lakhaund, Pargana Eastern Doon, District Dehradun. ....Respondents.

***Sri B.P.S. Mer, Advocate for the petitioner.***  
***Learned Standing Counsel for the respondent no.1.***  
**Dated: 25.04.2006**

**Hon'ble Rajesh Tandon, J.**

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the learned Court of Civil Judge (Sr. Div), Dehradun (respondent no. 1) to decide the Suit No. 708 of 2003, Muneshwar Prasad Kothari & others Versus S.P. Kothari & another expeditiously.

Briefly stated, the respondents no. 2 to 8 filed a suit being Suit No. 708 of 2003, Muneshwar Prasad Kothari & others Vs. S.P. Kothari & another, in which the petitioner has been arrayed as defendant no. 2. The petitioner has filed her written statement on 11.12.2003 during the pendency of the suit.

The grievance of the petitioner is that since the suit relates to the year, 2003 and the petitioner is forcibly being dispossessed, therefore, the matter may be expedited.

In view of the above, learned Civil Judge (Sr. Div.) Dehradun (respondent no.1) is directed to decide the Suit No. 708 of 2003, Muneshwar Prasad Kothari & others Vs. S.P. Kothari & another within a period of six months from the date of presentation of the certified copy of the order.

Writ Petition is disposed of. No order as to costs.

**(Rajesh Tandon, J.)**

25.04.2006  
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